

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RAAFAT ELSISY,

*Plaintiff,*

v.

Case No. 2:19-cv-13346

CITY OF KEEGO HARBOR and  
DAVID MCDONALD,

District Judge  
Gershwin A. Drain

*Defendants.*

**ORDER SUMMARILY DENYING PLAINTIFF’S MOTION TO  
DISQUALIFY [#91] AND IMPOSING MONETARY SANCTION**

On January 12, 2023, the Court enjoined Plaintiff Raafat Elsisy (“Plaintiff”) from filing motions or papers in this matter without first seeking leave of Court. ECF No. 82, PageID.968. The Court imposed this injunction after he repeatedly filed frivolous motions seeking relief from judgment. *See* ECF Nos. 74, 78. The Sixth Circuit has long approved pre-filing restrictions for such prolific litigants. *Filipas v. Lemons*, 835 F.2d 1145 (6th Cir. 1987); *Wrenn v. Vanderbilt Univ. Hosp.*, 1995 U.S. App. LEXIS 5470, Nos. 94-5453, 94-5593, 1995 WL 111480 (6th Cir. Mar. 15, 1995) (authorizing a court to enjoin harassing litigation under its inherent authority and the All Writs Act, 28 U.S.C. § 1651(a)). Plaintiff has twice violated the Court’s order despite being expressly instructed that “[l]eave to file shall be requested in

writing” and that “[a]ny motions or papers filed in violation of this order shall be stricken from the docket.” ECF No. 82, PageID.986; *see* ECF Nos. 84, 86.

On August 15, 2023, Plaintiff was ordered to show cause as to why monetary sanctions should not be imposed for his repeated unapproved filings. ECF No. 88. As Plaintiff failed to satisfy the show cause order, he was warned that he would face a \$100 sanction for any subsequent papers filed without leave of Court. ECF No. 90, PageID.1065. The Court finds that this is the minimum sanction necessary to deter future frivolous filings. Nonetheless, Plaintiff filed a Motion for Recusal/Disqualifying of Judge Gershwin A. Drain on January 2, 2024. ECF No. 91. Again, he did not seek leave to file and has once more violated the terms of his enjoined filer status. As such, Plaintiff’s most recent filing will be summarily denied and stricken from the docket pursuant to the Court’s January 12, 2023 order. Further, as the Court’s prior filing restriction has not impeded Plaintiff’s vexatious conduct, the Court now imposes a monetary sanction of \$100.00 as a further deterrent.

For the foregoing reasons, Plaintiff’s Motion to Disqualify (ECF No. 91) is **SUMMARILY DENIED**. The Clerk of the Court is **DIRECTED** to **STRIKE** this Motion from the docket. Further, the Court hereby **SANCTIONS** Plaintiff as set forth above, so he is assessed a fine of \$100.00 to be paid to the Clerk of the Court on or before May 31, 2024.

**IT IS SO ORDERED.**

Dated: March 29, 2024

/s/ Gershwin A. Drain  
GERSHWIN A. DRAIN  
U.S. DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
March 29, 2024, by electronic and/or ordinary mail.

/s/Amanda Chubb  
For Lisa Bartlett, Case Manager